

PHILLIP A. TALBERT
United States Attorney
ANTONIO J. PATACA
Assistant United States Attorney
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSHUA GONZALES,
MICHAEL RAY ACOSTA,
JOSHUA GONZALES,
JOSE ENRIQUE OROPEZA,
ROSENDO RENE RAMIREZ,
DAVID RAMIREZ, JR.,

Defendants.

CASE NO. 1:23-CR-00033-ADA-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

STIPULATION

1. By previous order, this matter was set for status on December 13, 2023.
2. By this stipulation, defendants now move to continue the status conference until March 13, 2024, and to exclude time between December 13, 2023, and March 13, 2024, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes thousands of pages of discovery, including but not limited to: reports, photographs, lab results, videos, and the contents of numerous digital devices. The size of initial discovery in this case is approximately 2 Terabytes of data. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) Counsel for defendants desire additional time consult with his client, to review the current charges, to conduct investigation and research related to the charges, to review and copy discovery for this matter, to discuss potential resolutions with their clients, to prepare pretrial motions, and to otherwise prepare for trial.

c) Counsel for defendants believe that failure to grant the above-requested continuance would deny them the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of December 13, 2023 to March 13, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: December 6, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ ANTONIO J. PATACA
ANTONIO J. PATACA
Assistant United States Attorney

1 Dated: December 6, 2023

/s/ John Garland
JOHN GARLAND
Counsel for Defendant
Joshua Gonzales

2
3 Dated: December 6, 2023

/s/ Reed Grantham
REED GRANTHAM
Counsel for Defendant
Jose Enrique Oropeza

4
5
6 Dated: December 6, 2023

/s/ Serita Rios
SERITA RIOS
Counsel for Defendant
DAVID RAMIREZ

7
8
9
10 Dated: December 6, 2023

/s/ Richard Oberto
RICHARD OBERTO
Counsel for Defendant
Michael Acosta

11
12
13
14 Dated: December 6, 2023

/s/ Steven Crawford
STEVEN CRAWFORD
Counsel for Defendant
Rosendo Ramirez

ORDER

IT IS SO ORDERED that the status conference is continued from December 13, 2023, to **March 13, 2024, at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: **December 6, 2023**

/s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE